

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PERSICO CONTRACTING & TRUCKING, INC.

Petitioner,

-against-

08 Cv. 4080 (PAC)

STIPULATION OF
DISMISSAL

THE NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS' PENSION FUND, THE NEW YORK
CITY DISTRICT COUNCIL OF CARPENTERS'
WELFARE FUND, THE NEW YORK CITY DISTRICT
COUNCIL OF CARPENTERS' VACATION FUND,
THE NEW YORK CITY DISTRICT COUNCIL OF
CARPENTERS' ANNUITY FUND, THE NEW YORK CITY
DISTRICT COUNCIL OF CARPENTERS' APPRENTICESHIP
FUND, THE NEW YORK CITY DISTRICT COUNCIL
OF CARPENTERS' CHARITY FUND, THE NEW YORK
CITY DISTRICT COUNCIL OF CARPENTERS' LABOR
MANAGEMENT CORPORATION, MICHAEL J. FORDE,
AND PAUL O'BRIEN, trustees,

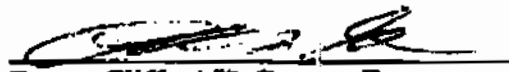
Respondent.
-----X

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for all the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of this action, the above entitled action be, and the

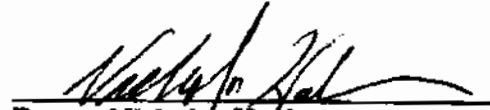
same hereby is, discontinued without prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). The June 4, 2008 PTC is off the calendar.

Dated: New York, N.Y.
June 2, 2008

CLIFFORD H. GREENE & ASSOCIATES


By: Clifford H. Greene, Esq.
Attorneys for Petitioner
(CG - 8292)
145 Huguenot Street, Suite 402
New Rochelle, N.Y. 10801
(914) 738-5992

O'DWYER & BERNSTIEN


By: Nicholas Hanlon, Esq.
Attorneys for Respondents
(NH - 0001)
52 Duane Street
New York, N.Y. 10007
(212) 571-7100

SO ORDERED: 6/2/2008


HON. PAULA A. CROTTY
UNITED STATES DISTRICT JUDGE